
From: Randy Edwards <Randy@cochranedwardslaw.com>
Sent: Monday, October 29, 2018 2:20 PM
To: Riggs, Randall R.
Cc: Mike Malouf, Jr.; Mortier, Jeffrey J.; Bobby Miller; Will Thomas; Kat Carrington
Subject: RE: Revised stipulation
Attachments: Stipulation--RRE revision.docx

Here is a revision. I moved para. 11 into the body so it will not be read to jury. I revised para 6 as follows: During the majority of Mr. Lind's test runs at speeds between 28-30 mph, the front brake did not have sufficient stopping power to lock the front wheel. However, on at least one of Mr. Lind's test runs, the front brake did have sufficient stopping power to lock the front wheel. I think that is as neutral as we can make. Both sentences are factually accurate.

I also clarified that you will not call Mike Jr. as a witness, and we won't either, provided that Jennifer Lind does not testify as to what Preston allegedly told her. That is 100% in your control. We may disagree as to whether those out of court statements are hearsay, or whether there is an exception, but if that testimony comes in, we need to be able to rebut it. So whether we call Mike Jr. in rebuttal is 100% in your control.

I am not saying this is take it or leave it. If there are some more tweaks that you want me to consider, shoot them over.

Randy Edwards
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From: Riggs, Randall R. <rriggs@fbtlaw.com>
Sent: Monday, October 29, 2018 1:41 PM
To: Randy Edwards <Randy@cochranedwardslaw.com>
Cc: Mike Malouf, Jr. <mikejr@Malouf.law>; Mortier, Jeffrey J. <jmortier@fbtlaw.com>; Bobby Miller <Bobby.Miller@butlersnow.com>; Will Thomas <Will.Thomas@butlersnow.com>; Kat Carrington <Kat.Carrington@butlersnow.com>
Subject: FW: Revised stipulation

Randy

In the spirit of compromise, here is what we will agree to as the Stipulation.

Minor revisions to #2 and #10 for accuracy.

I don't think you really want #11 read to the jury, and we would agree to delete it.

Number 6 is what we think is fair. It gives you most of what you want, but we will not agree to let Mike testify through this paragraph about the number or runs or cam settings. The whole point of this is to keep Mike from being a witness, and your proposal lets him testify.

EXHIBIT C

If we can't get agreement on this version, then we will submit to the court as our proposal and you can tell the court what you want.

I hope this takes care of this issue. Let me know. Randy

Randall R. Riggs

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From: Mortier, Jeffrey J.

Sent: Monday, October 29, 2018 1:31 PM

To: Riggs, Randall R. <rriggs@fbtlaw.com>

Subject: Revised stipulation

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